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Security Council

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Security Council Working Group on Children and Armed Conflict

Conclusions on children and armed conflict in Mali

1. At its 44th meeting, on 1 May 2014, the Security Council Working Group on Children and Armed Conflict examined the first report of the Secretary-General on children and armed conflict in Mali (S/2014/267), which was introduced by the Special Representative of the Secretary-General for Children and Armed Conflict. A representative of Mali also addressed the Working Group.

2. The members of the Working Group welcomed the submission of the report of the Secretary-General, in accordance with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012), and took note of the analysis and recommendations contained therein.

3. The members of the Working Group welcomed the improved security situation and the efforts of the Government of Mali to protect children, as well as the decrease in the number of violations and abuses committed against children. They remained, however, concerned about the protection of the rights of children detained on charges related to the armed conflict and association with armed groups and the killing and maiming of children through explosive remnants of war. They underlined the importance of accountability for violations and abuses committed against children and of mainstreaming the specific needs of children affected by the armed conflict in disarmament, demobilization and reintegration programmes.

4. The representative of Mali condemned the violations and abuses committed by armed groups against children in northern Mali. He welcomed the cooperation between the Government of Mali and the United Nations in the release of children associated with armed groups and in their reintegration. He outlined the reforms and actions the Government is undertaking to protect and defend children's rights throughout Mali and mentioned in this regard the development of a training and information programme for the Malian defence and security forces on human rights and child protection. He reaffirmed the commitment of his Government to protect children, fight impunity and fulfil its obligations under international law. He also stressed that there are no pro-government militias in Mali.

5. Further to the meeting, and subject to and consistent with applicable international law and relevant Security Council resolutions, including resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012) and 2143 (2014), the Working Group agreed to the direct action as set out below.

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Public statement by the Chair of the Working Group

6. The Working Group agreed to address the following message through a public statement issued by the Chair of the Working Group:

> To all armed groups mentioned in the report of the Secretary-General, specifically Al-Qaeda in the Islamic Maghreb, the Mouvement pour l'unicité et le jihad en Afrique de l'Ouest, the Mouvement National pour la Liberation de l'Azawad and Ansar Dine:
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> (a) Strongly condemning all violations and abuses committed against children in Mali, and urging them to immediately end and prevent all violations of applicable international law involving the recruitment and use of children, abduction, killing and maiming, rape and other forms of sexual violence, attacks on schools and hospitals and denial of humanitarian access, and reminding them that they have obligations under international law;
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> (b) Stressing that all perpetrators of such acts must be held accountable, and noting that on 13 July 2012, the transitional authorities of Mali referred the situation in Mali since January 2012 to the International Criminal Court, to which Mali is a State party, and that some of the above-mentioned acts may amount to crimes under the Rome Statute of the International Criminal Court;
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> (c) Strongly urging them to immediately and without preconditions release children associated with them and to take immediate and specific measures to put an end to and prevent the perpetration of rape and other forms of sexual violence by members of their respective groups;
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> (d) Expressing strong concern at the high number of children killed and maimed by explosive remnants of war, and urging them to take concrete measures to reduce their impact on children;
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> (e) Calling upon them to comply with applicable international law and to respect the civilian character of schools and hospitals, including their personnel, and to end and prevent attacks or threats of attacks against those institutions and their personnel, as well as the military use of schools in violation of applicable international law;
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> (f) Expressing concern about the interference of armed groups in the conduct of classes in the north of Mali;
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> (g) Further expressing concern about limited humanitarian access in the north of Mali and its detrimental impact on the provision of humanitarian assistance to children;
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> (h) Noting the security challenges facing the United Nations Country task force on monitoring and reporting in the north of Mali, and in this regard urging armed groups to ensure United Nations personnel safe and unhindered access to territories under their control for monitoring and reporting purposes;
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> (i) Further urging those who are or will be engaged in peace talks and agreements to ensure that child protection provisions, including the release and reintegration of children, are integrated into the peace talks and agreements;

(j) Calling upon them to publicly express their commitment to end and prevent all violations and abuses committed against children, and to expeditiously develop action plans in line with Security Council resolutions 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012) and 2143 (2014) if they are listed in annex I to the report of the Secretary-General on children and armed conflict.

Recommendations to the Security Council

7. The Working Group agreed to recommend that the President of the Security Council transmit a letter addressed to the Government of Mali:

(a) Commending the commitment and efforts of the Government of Mali for the protection of children affected by armed conflict through, inter alia, the establishment in October 2012 of an interministerial working group on grave violations, the adoption on 7 February 2013 of an interministerial circular on the prevention, protection and reintegration into the family of children released from armed forces and groups and the signature on 1 July 2013 of the Protocol on the Release and Handover of Children Associated with Armed Forces and Groups;

(b) Strongly encouraging the Government to sustain its commitment and efforts to protect children affected by armed conflict and to ensure that child protection provisions, including the release and reintegration of children, are integrated into the peace talks and agreements;

(c) Calling upon the Government to revitalize the interministerial working group on grave violations in order to prevent the recruitment and use of children in violation of applicable international law and to operationalize the joint mechanism for the screening of the Malian defence and security forces to ensure that no children are within its ranks;

(d) Encourages the Ministry of Family and the Promotion of Women and Children to continue to reinforce community-based mechanisms focused on prevention and response to benefit vulnerable children, including those who have spontaneously demobilized and those at risk of recruitment/re-recruitment;

(e) Also calling upon the Government to ensure that all disarmament, demobilization and reintegration programmes and security sector reform take into account the specific needs of children affected by the armed conflict and the protection of their rights and that the Malian defence and security forces establish recruitment procedures and age verification measures to prevent underage recruitment;

(f) Welcoming the efforts of the Government with regard to the training of the Malian defence and security forces on child protection, inviting the Government to continue these efforts and to integrate a national mandatory child protection module into the military service curriculum for new recruits;

(g) Expressing deep concern regarding the protection of the rights of children detained on charges related to the armed conflict and association with armed groups, urging the Government to work with the United Nations to establish, as a matter of priority, a joint mechanism for the review of those cases and stressing that children arrested during military operations should be primarily treated as victims;

(h) Further expressing deep concern over the lack of accountability for violations and abuses committed against children, and urging the Government to put an end to impunity by ensuring that those responsible for such violations and abuses are swiftly brought to justice and held accountable, including through timely, rigorous and systematic investigation and prosecution;

(i) Further urging the Government to strengthen its efforts to prevent and respond to sexual violence against children, including by holding accountable perpetrators of such crimes, by removing obstacles in the access to justice and by ensuring timely and appropriate care for child victims, including through facilitating provision of health-care services for victims and improving its national coverage and quality in the most vulnerable areas.

8. The Working Group agreed to recommend that the President of the Security Council transmit a letter to the Secretary-General:

(a) Requesting the Secretary-General to ensure the effectiveness of the monitoring and reporting mechanism on children and armed conflict in Mali and of the child protection component of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), including through the swift deployment of child protection advisers throughout MINUSMA areas of operation, and noting that their key tasks will include, among others, monitoring and reporting on violations and abuses committed against children, mainstreaming child protection within the United Nations Mission, training of the United Nations Mission personnel and dialogue on action plans;

(b) Also requesting the Secretary-General to ensure that MINUSMA and the United Nations Children's Fund strengthen their efforts to further support, in line with their respective mandates, the Malian authorities in mainstreaming the specific needs of children affected by the armed conflict and the protection of their rights in all disarmament, demobilization and reintegration programmes and security sector reform, in establishing a joint mechanism for the review of cases of children detained on charges related to the armed conflict and association with armed groups, in conducting a screening and age verification of the Malian defence and security forces and in establishing recruitment procedures and age verification measures to prevent underage recruitment;

(c) Further requesting the Secretary-General to ensure that the United Nations country task force on monitoring and reporting continues its advocacy for the release and reintegration of children associated with armed groups and forces and children detained on charges related to association with armed groups and prioritizes its efforts to reach out to non-State armed groups, with a view of developing action plans to end the recruitment and use of children in violation of applicable international law, as well as rape and sexual violence, and to address other violations and abuses committed against children in Mali.

9. The Working Group agreed to recommend the following to the Security Council:

(a) Ensuring that the situation of children and armed conflict in Mali continues to be duly taken into consideration by the Council when reviewing the mandate of MINUSMA and its activities;

(b) Ensuring the continuation of a child protection mandate for MINUSMA;

(c) Communicating the present document to the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and the Taliban and associated individuals and entities.

Direct action by the Working Group

10. The Working Group agreed to send letters from the Chair of the Working Group addressed to the World Bank and donors:

(a) Requesting the World Bank and donors to provide funding and assistance to support the Government of Mali and relevant humanitarian and development actors in establishing recruitment procedures in the Malian defence and security forces and effective age verification mechanisms to prevent underage recruitment, in providing rehabilitation and reintegration programmes for children formerly associated with armed forces and groups and training of the Malian defence and security forces on the protection of children, in bolstering the education and health system, especially in northern Mali, in ensuring timely and appropriate care for child victims of rape and other forms of sexual violence, through facilitating the provision of services for victims, including addressing deficiencies in the criminal justice system that undermine victims access to justice, and improving geographical coverage and quality of care, and to keep the Working Group informed as appropriate;

(b) Highlighting the importance of mine risk education programmes for children, in order to prevent the killing and maiming of children and to reduce the impact of mines, unexploded ordnance, cluster munition and explosive remnants of war on children;

(c) Appealing to donors working alongside the United Nations system to support the Government efforts in the promotion of birth and late-birth registration as a means to prevent under-age recruitment and to guarantee the comprehensive disarmament, demobilization and reintegration of children associated with armed forces and armed groups.